

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

SUSAN NEESE, *et al.*,

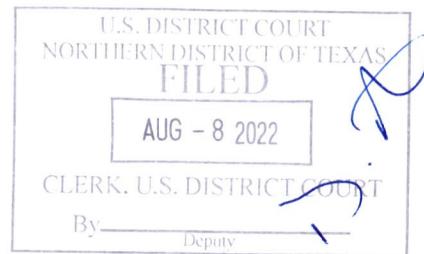
Plaintiffs,

v.

XAVIER BECERRA, in his official capacity as the Secretary of the United States Department of Health and Human Services, *et al.*,

Defendants.

2:21-CV-163-Z

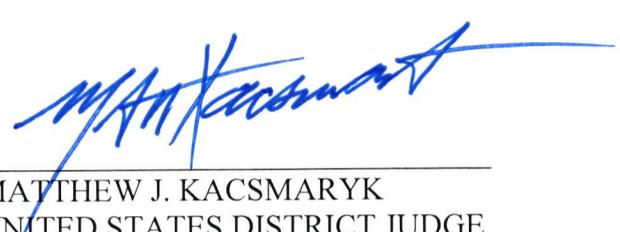


NOTICE

Before the Court is parties' Agreed Stipulation to Dismiss Plaintiff Jeffrey Barke ("Stipulation") (ECF No. 39), filed on July 27, 2022. The document is a "stipulation of dismissal signed by all parties who have appeared." FED. R. CIV. P. 41(a)(1)(A)(ii). "Except in special circumstances . . . a voluntary order of dismissal requested by both parties is effective upon filing and does not require the approval of the court." *Ramming v. Nat. Gas Pipeline Co. of Am.*, 390 F.3d 366, 369 n.1 (5th Cir. 2004). Thus, an order of this Court "approving the dismissal is of no consequence." *Meinecke v. H & R Block of Hous.*, 66 F.3d 77, 82 (5th Cir. 1995); *see also Nat'l City Golf Fin. v. Scott*, 899 F.3d 412, 415–16 (5th Cir. 2018) ("A stipulation of dismissal . . . strips the district court of subject-matter jurisdiction."). Therefore, the Court **DIRECTS** the United States District Clerk to terminate Plaintiff Jeffrey Barke.

The Court issues notice accordingly.

August 8, 2022


MATTHEW J. KACSMARYK
UNITED STATES DISTRICT JUDGE